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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Application No. 09/425,436	***Confirmation No. 9564***
Filed:	October 22, 1999	
Applicants:	Richard Robert CAPPADONA et al.	
Title:	LID FOR COOKING PAN	
Art Unit:	1761	
Examiner:	BECKER, Drew E.	
Attorney Docket No.:	7015/66635	
Customer No.:	22242	

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O Box 1450, Alexandria, VA 22313-1450, on this date.

1/28/2005
Date

Joseph E. Shipley
Registration No. 31,137
Attorney for Applicant(s)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby submit(s) to the Board of Patent Appeals and Interferences the following:

☐ A Notice of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is enclosed which includes the fee under 37 CFR § 1.17(b) for filing the Notice of Appeal.

☒ An Appeal Brief (in triplicate) is enclosed.

☐ Also enclosed:

☐ The fee for filing the Appeal Brief is $ 500.00 (37 CFR § 1.17(b)).

☐ Applicant(s) assert entitlement to Small Entity Status (37 CFR § 1.27), reducing the Appeal Fee by half to $ 250.00 .

☐ Charge $_____ to Deposit Account No. 06-1135.

☐ A check in the amount of the fee is enclosed.

☐ Not required (fee paid in prior appeal in this application).

Application No. 09/425,436
Appeal Brief Transmittal dated January 28, 2005
Reply to Office Action/Decision of Primary Examiner of March 9, 2004

☐ A petition for extension of time under 37 CFR § 1.136(a) is enclosed.

☐ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this appeal (specifically including the fee for filing a brief in support of this appeal if such brief is filed unaccompanied by full payment therefor, and the fee for filing a request for an oral hearing if such request is made unaccompanied by full payment therefor), or credit any overpayment to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This Notice is filed in duplicate.

January 28, 2005
Date

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APPELLANTS' BRIEF ON APPEAL UNDER 37 C.F.R. § 41.37

Sir:

This Appeal Brief is filed pursuant to the Office Action dated December 29, 2004 stating that the previous Appeal Brief filed on November 9, 2004 was defective for failure to comply with the format in 37 C.F.R. § 41.37(c). This brief is being filed in triplicate.

I. REAL PARTY IN INTEREST

Carico International Inc. is the assignee of the above-named patent application.

II. RELATED APPEALS AND INTERFERENCES

None.

III. STATUS OF CLAIMS

Claims 2-6 and 8-23 are pending. Claims 2-6 and 8-19 are allowed. Appellants appeal the final rejection of claims 20-23. Claims 20 and 23 are the pending independent claims that are at issue in this appeal. Claims 1 and 7 are cancelled. A claims appendix presents the claims at issue in the appeal.

IV. STATUS OF AMENDMENTS

No amendments after the final rejection have been submitted to or entered by the Examiner.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The claimed invention at issue relates to waterless cookware (claims 20-22) and to a method of waterless cooking (claim 23). With references to the preferred embodiment shown in the drawings, the cookware of independent claim 20 and the cookware used in the method of independent claim 23 includes a cooking vessel that is suitable for use in stove top waterless cooking. (Spec. Pg. 3, line 21 through Pg. 4, line 4.)

As recited in independent claim 23, waterless cooking is a method of cooking that uses little or no water. For instance, wet food items may be placed in a pan 10 having a lid assembly 20 and heated. (Spec. Pg. 4, lines 4-16.) During cooking, the temperature in the interior of pan 10 above the food item is indicated by a thermometer 32. (*Id.*) When the temperature in the pan 10 reaches a predetermined point, the rate at which the heat is applied to the pan 10 is lowered. (*Id.*) At this point, any vents, such as vents or openings 48 or 52, in the lid assembly 20 are

closed and the food item continues to cook at low temperatures and pressures. (*Id.*) Such a method cooks the food item by using less energy and preserves the nutrients of the food.

The waterless cookware of independent claim 20 includes a cooking vessel that has a pan 10 and a removable lid assembly 20. (Spec. Pg. 3, lines 17-24.) The disclosed pan 10 is also suitable for the method of waterless cooking in independent claim 23. (Spec. Pg. 4, line 4.) As illustrated in FIGS. 1 and 2 of the application, which are reproduced below for convenience, the lid assembly 20 includes an upper surface 26, a lower surface 28, and a knob assembly 30, which includes a knob body 66 and a thermometer 32. (Spec. Pg. 4, line 18 - Pg. 5, line 1.)

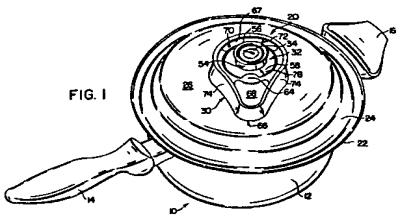


FIG. 1

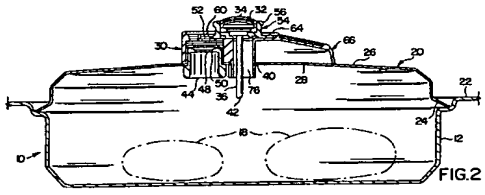


FIG.2

The thermometer 32 has a probe 36 extending through an aperture 38 in the knob body 66 and through an opening 40 in the lid to a location beneath the lower surface 28 of the lid. (Spec. Pg. 34 - Pg. 5, line 2.) As best shown in FIG. 2 above, the thermometer 32 has a lower end 42 that is slightly above the elevation of a rim 24; therefore, the probe measures the temperature of the air and vapor in the interior of the pan 10 above the food item 18. (Spec. Pg. 5, lines 3-7.) The thermometer, in such a position, can instantaneously measure the temperature of the air or vapor in the pan 10 without its response time being delayed by the lid 20, by the food items 18, or by the knob assembly 30. (Spec. Pg. 5, lines 5-10.) The thermometer 32 is preferably removable for ease of cleaning. (Spec. Pg. 3, lines 3-7.)

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Would claims 20-22 have been obvious to one of ordinary skill in the art at the time the invention was made over Bauer (U.S. Patent No. 4,330,069) in view of Stephen et al. (U.S. Patent No. 4,966,125)?

2. Was claim 23 obvious to one of ordinary skill in the art at the time the invention was made over Hupf et al. (U.S. Patent No. 6,004,000) in view of Bauer?

VII. ARGUMENT

The Examiner has failed to establish a *prima facie* case of obviousness. All of the claims have been rejected on grounds of obviousness over a combination of references from arts that are remote from waterless cooking. As further highlighted below, the Examiner has combined references relating to a pressure cooker (Bauer), an outdoor grill (Stephen et al.), and a fixed temperature indicating device for a cooking vessel (Hupf et al.). Applicants respectfully submit these references should not be combined, and if combined, they do not render the claims obvious because they do not teach all of the claim limitations.

A. Cited References

1. Bauer (U.S. Patent No. 4,330,069):

Bauer relates to a steam pressure cooker that includes safety and monitoring devices. As described in column 5, lines 33-44, the lid of Bauer includes a fixed temperature sensor 22.

2. Stephen et al. (U.S. Patent No. 4,966,125):

Stephen et al. [Stephen] relates to a barbeque kettle or outdoor grill. Stephen discloses a removable thermometer 56 having a piercing portion or projection 58.

The thermometer 56 is releasably supported on a handle 16 through a bracket means 60, which is fixed to the handle 16.

3. Hupf et al. (U.S. Patent No. 6,004,000):

Hupf et al. [Hupf] relates to a fixed temperature indicating device for a cooking vessel. Hupf teaches methods of waterless cooking using a lid having a knob cover 50 containing a temperature sensing element 150 within the knob cover. As shown in FIG. 1, the temperature sensing element 150 does not protrude below the surface of the lid.

B. Examiner's art rejections

The Examiner rejected claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Bauer in view of Stephen. In the rejection, it was noted that Bauer does not teach a removable thermometer or a hollow tubular structure, but that Stephen teaches a removable thermometer and that a temperature probe would obviously be hollow because that is how they were commonly made. The Examiner further indicated that it would have been obvious to one of ordinary skill in the art to incorporate the removable thermometer of Stephen (*i.e.*, an outdoor grill) into the invention of Bauer (*i.e.*, a pressure cooker) because both are directed to cooking devices with thermometers in their handles. The Examiner suggested that FIG. 3 of Bauer indicates that the thermometer does not have any impediments to its being lifted out of the handle.

The Examiner further rejected claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Hupf in view of Bauer. It was noted that Hupf taught a method of waterless cooking, but did not teach a thermometer that extended through a lid. The Examiner noted that Bauer shows a thermometer that extends through the lid. The Examiner then stated that it would have been obvious to one of ordinary skill in the art to incorporate the thermometer of Bauer (*i.e.*, a pressure cooker) into the

invention of Hupf because both are directed to methods of cooking and because Hupf already included a thermometer.

C. The Patent Office Has To Make A Prima Facie Case of Obviousness

The Patent Office has the burden to establish a *prima facie* case of obviousness. *In re Thrift*, 298 F.3d 1357, 1363 (Fed. Cir. 2002); MANUAL OF PATENT EXAMINING PROCEDURE § 2143 (8th ed., rev. 1, 2003) [hereinafter MPEP]. To establish a prima facie case of obviousness, three criteria must be met. *In re Lee*, 277 F.3d 1338, 1343 (Fed. Cir. 2002); MPEP § 2143.01. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill, to combine the references. Second, there must be a reasonable expectation of success. *Noelle v. Lederman*, 355 F.3d 1343, 1351-52 (Fed. Cir. 2004); MPEP § 2143.02. Third, the references must teach or suggest all the claim limitations. MPEP § 2143.03. *See Thrift*, 298 F.3d at 1363.

In this case, not only are the Examiner's references not combinable, but the prior art of record does not teach all claim limitations. Hence, the Examiner has failed to establish a *prima facie* claim of obviousness, and applicants do not have to produce evidence of non-obviousness. MPEP § 2142. Nevertheless, to further support non-obviousness, Applicants also submit objective evidence of non-obviousness.

The following discussion highlights the failure of the Examiner's obviousness rejections.

D. Claims 20-22 would not have been obvious over Bauer in view of Stephen at the time the invention was made

Bauer, a pressure cooker for cooking foods at elevated pressures, cannot properly be combined with Stephen, an outdoor grill for cooking at ambient pressure, to arrive at waterless cookware for cooking foods in a vacuum or below atmospheric pressure.

1. Claim 20 was patentable over the cited references at the time the invention was made because there is no suggestion or motivation to combine the references to teach or suggest waterless cookware having a removable thermometer

a. One of ordinary skill in the art of waterless cookware would not have looked to a reference related to an outdoor grill or to a reference related to a pressure cooker

The references that were combined are from fields of endeavor different from the Applicants waterless cookware. For the rejection of claim 20, the Examiner has combined references that teach cookware from completely different methods of cooking (i.e., cooking at high pressure or atmospheric pressure) to arrive at the claimed invention, which is directed to cookware for use in a third method of cooking (i.e. cooking at low pressure). Each method of cooking requires unique structural requirements within the cookware to facilitate its applicable cooking method. As such, the reference to a pressure cooker for cooking at elevated pressures (Bauer) and the reference to an outdoor grill for cooking at atmospheric pressure (Stephen) are in a field of endeavor different from the Applicants' cookware, which are suitable for stovetop waterless cooking at sub-atmospheric pressures.

For such reasons, Bauer and Stephen should not be combined. The principles involved in cooking with a pressure cooker are opposite to those of

waterless cooking. A pressure cooker requires a locking arrangement to hold and seal the lid in place to maintain an elevated internal pressure. The pressure cooker also requires a pressure relief valve that permits increased pressure to be maintained up to a predetermined safety limit, which safely allows cooking to take place at elevated temperatures and pressures. Waterless cooking, on the other hand, takes place at reduced temperatures and at reduced pressures. As such, waterless cookware does not require the extensive safety and monitoring devices necessary for safe cooking at elevated temperatures and pressures. Likewise, cooking at atmospheric pressure in an outdoor grill is also very different from stove top waterless cooking. A grill relies on vents or other openings to permit air to enter to support combustion, and to permit out flow of air, smoke, and exhaust gases.

As a result, waterless cookware is in a different field of endeavor as pressure cookers and outdoor grills, and one of ordinary skill in the art of waterless cookware would not logically look to such references for suggestions or modifications to waterless cookware.

b. The cited references would also not have been combined because Bauer teaches away from such combination

Claim 20 describes waterless cookware having, *inter alia*:

- a thermometer including a probe extending downward through an aperture in a lid wherein the bottom end of the probe is disposed above a rim of the lid;
- the probe containing a temperature sensing device disposed beneath the aperture and within the cooking vessel;
- the thermometer being rapidly responsive to temperature changes within the cooking vessel; and
- the thermometer being removable to facilitate cleaning.

Bauer expressly discloses a fixed thermometer. Modifying the cookware of Bauer to include a removable thermometer would destroy its teaching. For example, Bauer teaches a

> [l]id handle 2" [that] contains . . . a temperature indicator comprising a temperature sensor 22 operatively connected to a temperature display 23 on top of a housing 24 ***fixedly connected*** to lid handle 2". Temperature sensor 22 is . . . ***integrally formed*** with lid handle 2".

(Col. 5, lines 33-39.) (Emphasis added.) As such, Bauer merely teaches cookware having a temperature sensing device that is ***fixed*** to the lid and handle. Because Bauer teaches cookware for use with pressure cooking at elevated temperatures and pressures, such a fixed thermometer is expected and most likely required.

Modifying Bauer with the removable thermometer of Stephen would destroy the intended teachings of Bauer. Adding a removable thermometer to a pressure cooker could create an unsafe cooking utensil. The removable thermometer could become a projectile subject to being ejected away from the cookware at the elevated pressures. Therefore, one skilled in the art would be unmotivated to effect such a change.

Accordingly, even though the teachings of Bauer and Stephen are in fields of endeavor distinct from waterless cooking and would not logically be consulted for guidance with waterless cookware, the cited references would not be combined because such combination destroys the intended teachings of Bauer.

2. Claim 21 would not have been obvious over the cited references at the time the invention was made because Bauer and Stephen do not teach or suggest waterless cookware having a probe comprising a thin-walled, hollow tubular structure

Dependent claim 21, which includes all the limitations of claim 20, further requires the waterless cookware probe to have a thin-walled, hollow tubular structure where the bottom end of the probe contains a temperature sensing device communicating with a gauge.

a. There is no suggestion or motivation to combine the references to arrive at the claimed invention

As with claim 20, there is no motivation or suggestion to combine the cited references to arrive at waterless cookware having all the limitations of claim 20 and also requiring a thin-walled, hollow tubular structure where the bottom end contains a temperature sensing device. The Examiner has also combined Bauer and Stephen to suggest the invention of claim 21. As previously discussed, Bauer and Stephen would not be combined to arrive at waterless cookware. Accordingly, the discussion above with respect to claim 20 also applies to claim 21 and is incorporated herein.

b. Even if combined, the cited references do not show a probe having a thin-walled tubular structure that includes a temperature sensing device at a bottom end

The cited references can not be combined; however, even if combined, the combination of Bauer and Stephen do not disclose all the claim limitations of independent claim 20 and all the limitations of dependent claim 21. Specifically, dependent claim 21 further requires "wherein said probe comprises a thin-walled,

hollow tubular structure, said bottom end containing a temperature sensing device communicating with the gauge."

The Examiner stated "[a]lthough not specifically recited, it would have been obvious to one of ordinary skill in the art that the temperature probe of Bauer would be hollow since thermometers were commonly made with hollow tubular bodies to hold a temperature sensitive material such as mercury, a spring, or a thermocouple." However, the Applicants respectfully submit that thin-walled, tubular thermometer probes are not commonly known in waterless cookware.

The Examiner has also not provided any references to teach a probe having a thin-walled tubular body for use in waterless cookware. For example, Bauer, which is the reference to pressure cookers, teaches the handle having a hollow stud 4"a with a bore that the temperature sensor in located therein. (Col 5, lines 38-44.) However, Bauer does not teach or suggest any structure regarding the thermometer probe itself. Stephen, likewise, merely illustrates a thermometer 56 having a piercing portion or projection 58. Stephen also does not disclose any structure of the thermometer or piercing portion.

Accordingly, while Bauer and Stephen can not be properly combined to arrive at waterless cookware, even if combined they do not teach all the claim limitations of independent claim 20 and dependent claim 21.

3. Claim 22 was not obvious over the cited references at the time the invention was made because Bauer and Stephen do not teach or suggest waterless cookware having a lid assembly that includes a removable holder for supporting the thermometer *and* a retaining member to retain the thermometer thereon

Dependent claim 22, which includes all the limitations of independent claim 20, further requires the waterless cookware lid assembly to include a

removable holder for supporting the thermometer ***and*** a retaining member to retain the thermometer on the holder.

a. There is no suggestion or motivation to combine the references to arrive at the claimed invention

As with independent claim 20, there is no motivation or suggestion to combine the cited references to arrive at waterless cookware having all the limitations of claim 20 and also requiring the removable holder for supporting the thermometer along with the retaining member. The Examiner has also combined Bauer and Stephen to suggest the invention of claim 22. As previously discussed, Bauer and Stephen would not be combined to arrive at waterless cookware. Accordingly, the discussion above with respect to claim 20 also applies to claim 22 and is incorporated herein.

b. Even if combined, the cited references do not show a waterless cookware lid assembly comprising a removable holder and a retaining member for retaining the thermometer thereon

The cited references can not be combined; however, even if combined, the combination of Bauer and Stephen do not disclose all the claim limitations of independent claim 20 and all the limitations of dependent claim 22. Specifically, dependent claim 22 further requires:

- wherein said lid assembly further comprises a holder that is removable from the lid for supporting said thermometer and
- a retaining member on the lid that selectively retains the thermometer thereon.

The Examiner has failed to address such limitations in the obviousness rejection. In the rejection, it is noted that Bauer does disclose a knob assembly and such assembly may be used as a holder, but the Examiner completely fails to address the fact that Bauer and Stephen do not teach or even suggest a removable holder or include any structure acting as a retaining member.

Accordingly, while Bauer and Stephen cannot be properly combined to arrive at waterless cookware, even if combined, they do not teach all the claim limitations of independent claim 20 and dependent claim 22.

E. Claim 23 was not obvious over the cited references at the time the invention was made because Hupf and Bauer do not teach or suggest a method of waterless cooking having a thermometer extending through and below the lid

Claim 23 is directed to a method of waterless cooking that places one or more food items with little or no additional water in a cooking pan and uses cookware having:

- a thermometer that includes a probe extending downward through an aperture in a lid; and
- wherein the probe has a lower end disposed slightly above the elevation of the rim of the lid.

The Examiner has combined Hupf and Bauer to arrive at the claimed invention; however, such references can also not properly be combined for reasons already discussed. Hupf discloses a method of waterless cooking (*i.e.*, sub-atmospheric cooking). As discussed previously, Bauer relates to a pressure cooker (*i.e.*, elevated pressure cooking), which is a cooking method opposite that of waterless cooking. Consequently, for reasons already discussed above with respect to claim 20, Hupf can not properly be combined with Bauer to arrive at the claimed

method. Accordingly, the prior discussion with respect to claim 20 is incorporated herein.

F. Claims 20-23 were patentable over the cited references at the time the invention was made in view of the objective evidence of non-obviousness

Even though Applicant is not required to submit evidence of non-obviousness because the Examiner has failed to establish a *prima facie* case of obviousness, the Applicant has submitted secondary evidence of non-obviousness to further illustrate the patentability of the claimed invention. A declaration of Richard Cappadona, the President of Carico International Inc. ("Carico") and one of the inventors, was submitted to support patentability. Carico is the assignee of the application at issue.

1. Commercial Success

The declaration provides evidence of commercial success of the claimed invention. As held in *Fromson v. Advance Offset Plate, Inc.*, 755 F.2d 1549, 1557-58 (Fed. Cir. 1985), commercial success of the claimed invention undermines arguments that the success was attributable to developments in related technology that were merely combined in an obvious manner. The Examiner has completely failed to consider the commercial success of the claimed invention as further evidence of non-obviousness.

Carico markets waterless cookware embodying the invention under the "Ultra Tech" trademark. This waterless cookware includes all the features of at least claims 20-22 and is particularly useful for waterless cooking as in claim 23. Carico had sales of its Ultra Tech Cookware of about $15 million in 2000, about $25 million in 2002, and anticipated sales of about $ 32 million in 2002, the year the Declaration

was signed. Mr. Cappadona felt the increased sales volume was attributable in large part to the invention, and not to increased advertising or other factors. Additionally, Carico had received numerous inquiries from companies in Germany, Turkey, and Japan about manufacturing products similar to the Ultra Tech cookware. At the time the Declaration was signed, Carico had declined to consent to others manufacturing such products.

2. Long-Felt Need

The declaration also provides evidence of a long-felt need for the claimed invention. Richard Cappadona spent over two years on research and development of the claimed invention. During this time, he visited housewares shows in Italy, Germany, Asia, and the United States, and also visited knob manufacturers in other countries as well. No waterless cookware embodying the claimed invention was discovered. More specifically, Mr. Cappadona did not find waterless cookware capable of measuring temperature above food items instantaneously or cookware with a thermometer penetrating the lid.

3. Prior Art Teaches Away From the Claimed Invention

Prior art waterless cookware, as indicated by the disclosure in Hupf, indicates that such cookware taught a temperature sensing device that did not protrude through a lid. As illustrated in FIG. 1 of Hupf, temperature sensing device 150 contacted a cooking vessel cover 10 and did not extend through such cover. Accordingly, as stated in Hupf, "[t]he temperature variation of the cooking vessel cover 10 is directly related to the temperature variation within the cooking vessel." (Col 7, lines 60-62.) Prior art waterless cookware, as a result, indirectly determined the temperature within the vessel through measurement of the cover temperature. That is, rather than measuring internal temperatures directly as the claimed

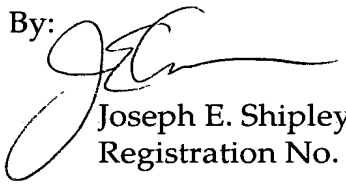
invention, the prior art taught the measurement of cover temperatures and the estimation of the internal temperature from such cover temperatures because the internal temperature was directly related to the cover temperature. However, as stated in the Applicant's specification, such indirect measurement could not provide instantaneous measurement of temperature because the cover or lid impedes the response time. (Spec. Pg. 1, lines 20-23.)

Accordingly, the prior art waterless cookware taught away from using temperature sensing devices that protruded through the cookware lid.

VIII. CONCLUSION

In view of the foregoing discussion, the applicants respectfully request reversal of the rejection of the rejected, pending claims.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY
By:



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IX. CLAIMS APPENDIX

1. Canceled.

2. A cooking vessel comprising a pan and a removable lid assembly comprising a lid having a generally convex upper surface and a generally concave lower surface and a peripheral rim, said lid assembly further comprising a knob assembly on said upper surface and defining at least one aperture through said knob assembly and said lid, said lid assembly further comprising a thermometer including a probe extending downward through said aperture and a temperature display, wherein said probe has a bottom end disposed above the rim, said probe containing a temperature sensing device disposed beneath said aperture and within said cooking vessel, wherein said knob assembly includes a whistle body that provides an audible signal in response to flow of vapor therethrough, and a movable member having a dual function notch formed therein that operates selectively both as a release to selectively permit removal of the movable member for cleaning, and as a slot for vapor discharge to selectively enable the whistle body.

3. A cooking vessel in accordance with claim 2 wherein said knob assembly further includes a knob body attached to said lid, and a vapor discharge aperture communicating with said whistle body through which vapor from the whistle body is discharged, and wherein said dual function notch is movable between a whistle-enabling position in which said notch is aligned with said vapor discharge aperture to permit discharge of vapor therethrough, and a range of whistle-disabling positions in which said notch is not aligned with said discharge aperture, such that said movable member inhibits discharge of vapor therethrough.

4. A cooking vessel in accordance with claim 3 wherein said knob body includes a retaining member, and wherein said notch is movable between a release position in which it is aligned with said retaining member and in which said movable member may be removed from said knob body, and a retained position in which said notch is not aligned with said retaining member, and said retaining member prevents removal of said movable member from said knob body.

5. A cooking vessel in accordance with claim 4 wherein said movable member is rotatable.

6. A cooking vessel in accordance with claim 5 wherein said thermometer is fixedly attached to said movable member.

7. Canceled.

8. A cooking vessel lid assembly comprising a lid with an upper surface and a knob assembly on said upper surface of said lid, said knob assembly including a whistle and a movable member having a dual function notch formed therein that operates selectively both as a release to selectively permit removal of the movable member for cleaning, and as a slot for vapor discharge to selectively enable said whistle.

9. A cooking vessel lid assembly in accordance with claim 8 wherein said upper surface of said lid is generally convex and said lid includes a generally concave lower surface and a peripheral rim.

10. A cooking vessel lid assembly in accordance with claim 8 wherein said lid assembly includes an aperture through said knob assembly and said lid, said lid assembly further including a thermometer extending through said aperture.

11. A cooking vessel lid assembly in accordance with claim 10 wherein said thermometer includes a probe extending downward through said aperture and a temperature display, wherein said probe has a bottom end disposed above said rim.

12. A cooking vessel lid assembly in accordance with claim 8 wherein said knob assembly includes a knob body attached to said lid, a whistle body of said whistle that provides an audible signal in response to flow of vapor therethrough, and a vapor discharge aperture communicating with said whistle body through which vapor from the whistle body is discharged, and wherein said dual function notch is movable between a whistle-enabling position in which said notch is aligned with said vapor discharge aperture to permit discharge of vapor therethrough, and a range of whistle-disabling positions in which said notch is not aligned with said discharge aperture, such that said movable member inhibits discharge of vapor therethrough.

13. A cooking vessel lid assembly in accordance with claim 12 wherein said knob body includes a retaining member, and wherein said notch is movable between a release position in which it is aligned with said retaining member and in which said movable member may be removed from said knob body, and a retained position in which said notch is not aligned with said retaining member, and said retaining member prevents removal of said movable member from said knob body.

14. A cooking vessel lid assembly in accordance with claim 13 wherein said movable member is rotatable.

15. A cooking vessel assembly comprising a pan, a removable lid assembly comprising a lid having a generally convex upper surface and a generally concave lower surface and a peripheral rim, said lid assembly further comprising a knob assembly on said upper surface and defining at least one aperture through said knob assembly and said lid, said lid assembly further comprising a thermometer including a probe extending downward through said aperture and a temperature display, wherein said probe has a bottom end disposed above the rim, said knob assembly including a whistle body that provides an audible signal in response to flow of vapor therethrough, and a movable member having a dual function notch formed therein that operates both as a release to selectively permit removal of the movable member for cleaning, and as a slot for vapor discharge to selectively enable the whistle.

16. A cooking vessel in accordance with claim 15 wherein said knob assembly further includes a knob body attached to said lid, and a vapor discharge aperture communicating with said whistle body through which vapor from the whistle body is discharged, and wherein said dual function notch is movable between a whistle-enabling position in which said notch is aligned with said vapor discharge aperture to permit discharge of vapor therethrough, and a range of whistle-disabling positions in which said notch is not aligned with said discharge aperture, such that said movable member inhibits discharge of vapor therethrough.

17. A cooking vessel in accordance with claim 16 wherein said knob body includes a retaining member, and wherein said notch is movable between a release

position in which it is aligned with said retaining member and in which said movable member may be removed from said knob body, and a retained position in which said notch is not aligned with said retaining member, and said retaining member prevents removal of said movable member from said knob body.

18. A cooking vessel in accordance with claim 17 wherein said movable member is rotatable.

19. A cooking vessel in accordance with claim 18 wherein said thermometer is fixedly attached to said movable member.

20. Waterless cookware comprising a cooking vessel suitable for use in stove top waterless cooking applications comprising a pan and a removable lid assembly comprising a lid having an upper surface and a lower surface and a peripheral rim, said lid assembly further comprising a knob body on said upper surface and defining at least one aperture through said knob body and said lid, said lid assembly further comprising a thermometer including a probe extending downward through said aperture and a temperature display, wherein said probe has a bottom end disposed above the rim, said probe containing a temperature sensing device disposed beneath said aperture and within said cooking vessel, said thermometer being rapidly responsive to temperature changes within the cooking vessel, and being removable from said knob body by lifting the thermometer therefrom to facilitate cleaning.

21. A cooking vessel in accordance with claim 20 wherein said probe comprises a think-walled, hollow tubular structure, said bottom end containing a temperature sensing device communicating with the gauge.

22. A cooking vessel in accordance with claim 20 wherein said lid assembly further comprises a holder that is removable from the lid for supporting said thermometer and a retaining member on the lid that selectively retains the thermometer thereon.

23. A method of waterless cooking comprising placing one or more food items with little or no additional water in a cooking pan having a bottom wall, at least one side wall, and a removable lid assembly, said lid assembly comprising a lid having an upper surface and a rim, and having a knob assembly on said upper surface and said lid assembly having at least one aperture in the lid and at least one vent therethrough, and a thermometer including a probe extending downward to through said aperture and a temperature display, said probe having a lower end disposed slightly above the elevation of the rim of the lid;

applying heat to the bottom of the pan;

measuring temperature with said probe, said probe having a temperature sensing device disposed beneath said aperture and within said pan, above all of said food items to measure temperature between said food items and said lid assembly; and

when the temperature in the pan reaches a predetermined point, closing the vent and reducing the rate at which heat is supplied to the pan to cook the food items at low temperatures and pressures.

X. EVIDENCE APPENDIX

None